

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1388 - SB 1914

March 27, 2011

SUMMARY OF BILL: Requires that Tenn. Code Ann. §§ 49-5-501 to 49-5-509 regarding teacher tenure shall apply only to those teachers hired before July 1, 2011. Tenn. Code Ann. §§ 49-5-511 to 49-5-513 concerning dismissal and grievance hearings shall only apply to those teachers who have received tenure prior to July 1, 2011. Sets forth new tenure requirements for teachers hired after July 1, 2011. These requirements include initial employment as a probationary teacher, eligibility for tenure status after two years of being evaluated as an effective educator or if in the fifth year as a probationary teacher, being evaluated as an effective educator, removal of tenure status and placed back on probationary status after two consecutive years of being evaluated as less than an effective educator, and the ability to return to tenure status after two consecutive years of being evaluated as a effective educator.

All teachers with probationary status on or after July 1, 2011, shall be at-will employees. Written notice of dismissal shall only be given to teachers hired before July 1, 2011. Any teacher who breaks a contract with a local education agency (LEA) on or after July 1, 2011, shall become a first year probationary teacher if the teacher is rehired by the LEA or by another LEA. Statutory requirements for written notice to probationary teachers of specific reasons for failure to re-employ and a hearing upon request shall only be given to those teachers before July 1, 2011. Years of service obtained by a teacher during a leave of absence to teach at a public charter school may be used in tenure decisions only for teachers who were hired before July 1, 2011. Teachers who were hired on or after July 1, 2011, may have their evaluations obtained during a leave of absence to teach at a public charter school used in tenure decisions.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- Placing teachers hired on or after July 1, 2011, under different statutory provisions for tenure and dismissal than those hired before July 1, 2011, will have no significant fiscal impact on state or local government. Teachers hired before July 1, 2011, retain the right to the full dismissal and grievance process including judicial review. The total number of teachers will not be changed by the changes set forth by this bill.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

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